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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

NAGASE

Atty. Ref.: 427-45

Serial No. 09/921,601

Group: 2173

Filed: August 6, 2001

Examiner: T. Hailu

For: INFORMATION INPUT/OUTPUT DEVICE FOR VISUALLY IMPAIRED
USERS

* * * * *

January 18, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR INITIALED PTO-1449 FORM

A PTO-1449 form for the Information Disclosure Statement (IDS) filed on November 3, 2005 was returned with the USPTO communication dated January 11, 2006. However, the listings for documents JP 9-34843 and JP 7-21444 on this form are not initialed by the Examiner.

Applicant respectfully requests that the Examiner initial these listings. The IDS was filed along with an English-language translation of the Japanese office action in which JP 9-34843 and JP 7-21444 are identified. Applicant submits that this English-language translation of the Japanese office action constitutes the required concise statement of relevance for the non-English language documents JP 9-34843 and JP 7-21444. See MPEP 609.04(a) ("Where the information listed is not in the English language, but was cited in a search report or other action by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report or action which indicates the degree of relevance found by the foreign office.")

Consequently, consideration of JP 9-34843 and JP 7-21444 is believed to be appropriate and is respectfully requested.

NAGASE
Application No. 09/921,601

A complete copy of the November 3, 2005 IDS is enclosed for the Examiner's convenient reference.

Please charge any fee associated with this request to our Deposit Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



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Reg. No. 34,725

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NAGASE

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Atty. Ref.: 427-45

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* * * * *

November 3, 2005

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P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

1. ☐ This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement under 37 C.F.R. § 1.97(e) or fee is required. In the event, a first Office Action has been mailed prior to filing of the present Information Disclosure Statement, the Office is requested to treat the present paper s a submission under 37 C.F.R. § 1.97(c) and charge the undersigned's Deposit Account No. 14-1140 for the fee required by 37 C.F.R. § 1.17(p). The present paper is submitted in duplicate for this purpose.

2. ☒ This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

- a. ☒ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- b. ☐ No item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- c. ☐ For purposes of patent term adjustment under 37 C.F.R. 1.704, each item of information contained in the Information Disclosure Statement was cited in communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.704(d).
- d. ☐ Attached is our Check No. in the amount of \$ in payment of the fee under 37 C.F.R. § 1.17(p).

3. ☐ This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered. Attached is our Check No. in the amount of \$ in payment of the fee under 37 C.F.R. § 1.17(i).

a. ☐ I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. ☐ I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

4. ☐ Relevance of the non-English language document(s) is discussed in the present specification.

5. ☒ The document(s) was/were cited in a corresponding Japanese application no. 2000-241623. A copy of the office action and a translation thereof prepared by Applicant's Japanese representative are attached for the Examiner's convenient reference.

6. ☐ A concise explanation of the relevance of the non-English language document(s) appears below:

7. ☐ The Examiner's attention is directed to co-pending U.S. Patent Application No. , filed , (copy attached) which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

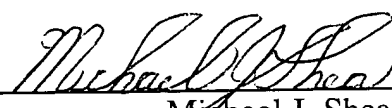
8. ☐ Copies of the documents were cited by or submitted to the Office in Application No. , filed , which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 14-1140 referencing docket number 427-45.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
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Reg. No. 34,725

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INFORMATION DISCLOSURE
CITATION

ATTY. DOCKET NO.

427-45

SERIAL NO.

09/921,601

APPLICANT

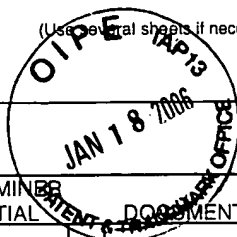
NAGASE

FILING DATE

August 6, 2001

TC/A.U.

2173



U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

[illegible]

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Date Considered